



FOR IMMEDIATE RELEASE
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FORMER BORDER PATROL AGENT SENTENCED TO 90 MONTHS IN PRISON AND FINED \$30,000

TUCSON – Michael Carlos Gonzalez, 34, of Vail, Ariz. was sentenced here today to a total of 90 months imprisonment, by Chief U.S. District Judge John M. Roll. The Court also imposed a \$30,000 fine. The sentence will be followed by 36 months of supervised release. Michael Gonzalez was found guilty by a federal jury in March for Possession with Intent to Distribute Marijuana and Possession of a Firearm in Furtherance of a Drug Trafficking Offense. He was on-duty as a United States Border Patrol Agent when he committed the offenses.

The evidence at trial showed that on December 6, 2005 a Canine Officer with the Arizona Department of Public Safety (DPS) stopped a pickup truck on Highway 83 near Sonoita, Arizona. When the truck came to a stop, the driver and passenger fled into the desert, abandoning the vehicle and its contents. Concealed within the bed of the truck were numerous bundles of marijuana. When the DPS officer departed the area to pursue the suspects, Michael Carlos Gonzalez arrived at the scene driving a marked Border Patrol vehicle and was in full Border Patrol uniform including his service weapon.

Gonzalez was entrusted to guard the load of marijuana while other law enforcement officers and federal agents pursued the fugitives. A subsequent review of the tape from the video camera in the DPS officer's patrol unit revealed that, while left alone at the scene, Gonzalez had backed his Border Patrol vehicle up to the front of the truck, walked to the tailgate and removed a bundle of marijuana. Gonzalez then moved the other bales to fill in the space left by the missing bundle. Thereafter, Gonzalez placed the bundle first in the back seat and then in the trunk of his marked vehicle. Gonzalez subsequently left the scene with the bale of marijuana. It was never recovered. He was wearing his sidearm throughout the incident.

After the DPS Officer had the truck towed to his office, a thorough search revealed that the pickup contained 29 bales of marijuana with an average weight of approximately 10 kilograms. The Officer did not realize that a bundle had been removed from the pickup until a subsequent review of the tape was completed. DPS then contacted U.S. Immigration and Customs Enforcement, Office of the Inspector General, to assist in the investigation.

DPS Director Roger Vanderpool, in reference to the successful prosecution by the US Attorney's Office and the sentencing today of Michael Gonzalez to prison, stated "We are well aware that this one incident does not represent the high quality and dedication of the men and women of the United States Border Patrol. The Arizona Department of Public Safety is proud to be a partner with the U.S. Border Patrol in the joint efforts to provide for a safer Arizona."

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In imposing the sentence, the Court sentenced the defendant to 30 months imprisonment for Possession with Intent to Distribute Marijuana and 60 months imprisonment, to be served consecutively (as mandated by statute) for the defendant's possession of a firearm in furtherance of that offense. The defendant was further ordered to pay a \$30,000 fine and a \$200 special assessment as a term of the 36 months of supervised release which will follow his imprisonment.

The investigation was conducted by the Department of Homeland Security, Office of the Inspector General, the Arizona Department of Public Safety, and the United States Border Patrol. The prosecution was handled by Bradley W. Giles, Assistant U.S. Attorney, District of Arizona, Tucson.

***Note:** The video can be obtained through a formal request to the public records section of the Arizona Department of Public Safety by calling 602-223-2702 or email requests to tfuentes@azdps.gov.*

CASE NUMBER: CR-06-0152-TUC-JMR (JCG)
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